

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**Rudy Portillo-Quintanilla,**

A#240-066-329

Petitioner,

v.

**Kristi Noem, *et al.*,**

Respondents.

**Civil Case No. 1:25-cv-1240-LKG**

**JOINT STATUS REPORT**

Following the status conference held on Thursday April 17 (ECF 5) and this Court's Order dated April 17 (ECF 6), the parties submit this joint status report and state as follows.

After the hearing, counsel for the Respondents provided counsel for the Petitioner with a copy of Petitioner's Notice to Appear (NTA). The NTA indicates that the Petitioner is an alien present in the United States who has not been admitted or paroled and subject to removal pursuant to INA §212(a)(6)(A)(i). The Petitioner has a hearing before an immigration judge of the United States Department of Justice in Annandale, Virginia scheduled on May 19, 2025 at 1:30pm.

Counsel for the Respondents has confirmed that the Petitioner remains in ICE custody in Farmville, Virginia. Counsel for the Respondents has also provided to Petitioner's counsel the time when the Petitioner was removed from Baltimore to Virginia on April 16.

Respondents believe this Emergency Writ of Habeas Corpus should be dismissed on two grounds. First, the petition should be dismissed pursuant to 28 U.S.C. §2241 as this Court lacks jurisdiction over the Petitioner who resides outside the District of Maryland. "[J]urisdiction lies

in only one district: the district of confinement.” *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004). In this case, Petitioner resides in Virginia. Second, since the Petitioner is being removed pursuant to the normal administrative processes in immigration court where he has been served with a NTA and has a scheduled hearing on May 19 before an Immigration Judge, this Court lacks jurisdiction under 8 U.S.C. §§ 1252(b)(9) and 1252(a)(5) to stay his removal.

Petitioner opposes dismissal for the same reasons articulated at the status conference hearing on April 17.

Dated April 21, 2025

Respectfully Submitted,

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United States Attorney

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